

**MINUTES OF THE NOVEMBER 3, 2014**  
**CHINCOTEAGUE TOWN COUNCIL MEETING**

**Council Members Present:**

John H. Tarr, Mayor  
Ellen W. Richardson, Vice Mayor  
Gene W. Taylor, Councilman  
Ben Ellis, Councilman  
James T. Frese, Councilman  
John N. Jester, Jr., Councilman

**Council Members Absent:**

J. Arthur Leonard, Councilman

**CALL TO ORDER**

Mayor Tarr called the meeting to order at 7:00 p.m.

**INVOCATION**

Councilman Ellis offered the invocation.

**PLEDGE OF ALLEGIANCE**

Mayor Tarr led in the Pledge of Allegiance.

**OPEN FORUM/PUBLIC PARTICIPATION**

Mayor Tarr opened the floor for public participation.

- Mrs. Patsy Savage stated that she purchased a golf cart and was informed she needed a Town sticker and bought one. She then found out that others with golf carts didn't have to purchase a Town sticker. She feels that those who purchased a Town sticker for the golf carts should be refunded. She also asked if the Town had an Ordinance regarding the number of dogs a person can have at their home.

Town Manager Ritter advised that Town Attorney Poulson has been reviewing the golf cart and Town sticker matter and will report when he returns.

Chief Lewis stated that if the dog is loose call the Police Department they will take care of it.

Mrs. Savage advised that they are limited to 3 horses and feels that dogs should be limited too.

- Ms. Laurie Walton approached Council regarding the 5<sup>th</sup> annual Homes for the Holiday House Tours. She explained that the donations for the tours go to a local charity. She stated that the donations went to the Food Pantry, the Police Department, the Kiwanis Club and last year it went to the Timothy Hill house toward their wooden chimney project. Ms. Walton stated that this year they have the Swing Bridge Project. She explained the project of artwork of a compass in the bricks where someone would stand to see a sculpture of the swing bridge. She added that it would appear to be the bridge where it once was. Ms. Walton advised that they are also taking this to the Parks and Recreation Committee. She added that she doesn't expect it will be of any cost to the Town.

Mayor Tarr asked Ms. Walton to present the Committee with specific information, such as the size.

There were brief comments.

- Chamber Director Shotwell reminded Council of the upcoming Christmas parade on December 6<sup>th</sup>. She added that the theme is “A Happy Seaside Christmas”.

## **STAFF UPDATE**

### **Planning Department**

Town Planner Neville advised that the Planning Commission will meet November 4<sup>th</sup> at 5:00 p.m. to review the final draft changes to the Comprehensive Plan. He stated that the Coastal Resiliency Project Workshop is scheduled for next week. He added that they are coming up with some ideas to improve the usefulness of this project to the Town.

### **Police Department**

Chief Lewis stated that the monthly report has been included in Council’s packet.

Mayor Tarr asked Chief Lewis what the Police Department is doing for the playground.

Chief Lewis reported that they donated \$15,000 to go toward new playground equipment. He also stated that they sponsored the free movie night for children 12 and under this past Saturday.

Mayor Tarr advised that the money the Police Department has donated isn’t from their budget. He added that the donation is from their hard earned Ride for Kids and other fundraisers they do throughout the year. He thanked Chief Lewis and his officers for all they do by giving back to the community.

### **Public Works Department**

Public Works Director Spurlock stated that in the next week they will be putting up Christmas decorations.

There were comments.

### **General Government**

Town Manager Ritter reported that the monthly report is included in the packet. He stated that EMS response for October was 74 which were 5 more than October of 2013, ALS response was 35, BLS 26 and all others were 13. He also reported that Coordinator Rush has been monitoring the daily weather and other briefings. He stated that he, Mrs. Edwards and Public Works Director Spurlock went to Suffolk for an audit of Phase 2C of the Main Street Revitalization project. He added that they will be discussing Phase 2D as an agenda item. He also stated that staff has been working on the tax bills. He reported that they will be out by November 5<sup>th</sup> or 6<sup>th</sup> and will be due by December 5<sup>th</sup>.

Councilman Ellis asked if the increase in the revenue for Transient Occupancy and Meals Tax was normal for this time of year.

Town Manager Ritter advised that it is hard to determine if there were more visitors here when the motels and restaurants have increased their rates.

Councilman Jester stated that he has talked with the businesses and they feel that business was good this year.

Chamber Director Shotwell advised that the Chamber's visitors were consistently up by 40% over last year, Labor Day was up 90% and Pony Penning week was up 70%.

Vice Mayor Richardson stated that Coordinator Rush did a great job with the POD exercise. She feels the Town should give him a letter of commendation. She added that there were others who should be recognized.

Councilman Jester feels they should look into alternative communications rather than cell phones.

Councilman Ellis asked if the removal of trees from Memorial Park was a result of the pine bark beetles.

Public Works Director Spurlock advised it was not. He stated that Mr. Lewis with the Virginia Department of Forestry came and toured the Island. He added that the beetles are done for the season and have devastated the south end of the Island.

Councilman Jester asked for the paving schedule for South Main Street.

Public Works Director Spurlock stated he has been reviewing the schedule and feels it would be better to pave in the spring after the sidewalk work is done.

#### **AGENDA ADDITIONS/DELETIONS AND ADOPTION**

Vice Mayor Richardson motioned, seconded by Councilman Jester to adopt the agenda adding "Personnel" to Item #8. Motion carried.

Ayes: Richardson, Jester, Frese, Ellis, Taylor

Nays: None

Absent: Leonard

#### **1. Consider Adoption of the Minutes**

- **Regular Council Meeting of October 6, 2014**
- **Council Workshop Meeting of October 16, 2014**

Vice Mayor Richardson motioned, seconded by Councilman Frese to approve the minutes of the October 6, 2014 regular Council meeting and October 16, 2014 Council workshop meeting with the change of Gail "Hart" to "Hartley". Motion carried.

Ayes: Richardson, Jester, Frese, Ellis, Taylor

Nays: None

Absent: Leonard

## **2. Discuss the Downtown Rehabilitation Project Phase 2D**

Mrs. Kat Edwards gave a recap of Phase 2D. She stated that they have been using VDOT funding to help accomplish the revitalization efforts in the downtown area. She stated that VDOT has been going through changes during this time. She explained that as they are moving and changing, a different set of folks are reviewing the plans. She stated that there are now more stopping points for approval. She stated that Phase 2D is to do work from Cleveland Street past the Firehouse and from Bridge Street to just past the American Legion. She advised that they are at the 90% stage with the drawings and the engineers have submitted a schedule to VDOT starting construction in the spring. She added that VDOT won't let this happen that fast. She also stated that the schedule of starting in June isn't feasible for the local downtown businesses.

Mrs. Edwards continued to review the schedule. She stated that the schedule has to be approved by Council before VDOT will even review it. She added that they won't review plans or do updates to the environmental review until the project is set up. She stated that this schedule takes VDOT's time limits and will start in September on the southern end of the downtown having less impact.

There were comments.

Vice Mayor Richardson thanked Mrs. Edwards for all her hard work. She asked to see the drawings. She mentioned the lamp post in front of the Shore Stop.

Mrs. Edwards suggested inviting the engineer for a presentation.

Councilman Taylor asked if there would be a problem with the work in front of the firehouse.

Mrs. Edwards explained that they have discussed this project with the Fire Company and they will have further meetings with them prior to construction. She also suggested having them attend the preconstruction meeting to iron out the issues. She mentioned there being a short time that the front of the firehouse will not be accessible.

Councilman Jester feels that a safe access at the Community Health Center will be a construction scheduling problem also.

Mrs. Edwards added that this will be addressed at preconstruction also.

Council reviewed and agreed to the schedule.

## **3. Harbor Committee Report of October 2, 2014**

Councilman Jester stated that they have a request for reduced rates for the county working watermen. He stated that the Committee agreed that the rates have been working over the past several years and decided to leave the rates alone. He stated that the fuel pumps and computer are working fine. He also stated that he heard that the ice machine is coming out.

Town Manager Ritter advised that the ice machine is coming out. He stated that the owner is presently looking for someone to take it over or she will remove it within the month. Councilman Jester also reported that the entrance to the Harbor has been maintained nicely by the crew boats from the dredging company. He added that they are gone now. He asked if the Town has heard anything further from the Army Corps of Engineers about the sand out front of the Harbor. He feels that this is a big issue with the wave action.

There was discussion regarding the report from the Army Corps of Engineers and the list they submitted of who was going to do what.

There was also lengthy discussion regarding sublease fees, the cost per day and Chincoteague working watermen that qualify for the priority list. There was also discussion regarding veterans' rates.

Mayor Tarr reminded Council that the rates are voted on every year during the budget.

Town Manager Ritter advised that they discussed this matter at the Harbor Committee meeting and it was decided to leave the sublease at \$4.50 per day. He suggested that they discuss this further with the Harbor Master who is in the process of breaking down the fees and the lists.

Councilman Taylor motioned, seconded by Councilman Frese to put this matter on the next Council meeting agenda. Motion carried.

Ayes: Richardson, Jester, Frese, Ellis, Taylor

Nays: None

Absent: Leonard

#### **4. Budget and Personnel Committee Report of October 14, 2014**

- **Draft Pony Express Updated Zero Tolerance Drug and Alcohol Testing Policy**

Town Manager Ritter stated that this is a new updated policy specific to the Pony Express as a Federal requirement. He added that it is more detailed.

Councilman Jester motioned, seconded by Councilman Taylor to adopt the Pony Express Updated Zero Tolerance Drug and Alcohol Testing Policy. Motion carried.

Ayes: Richardson, Jester, Frese, Ellis, Taylor

Nays: None

Absent: Leonard

Mayor Tarr also reported that they discussed a draft 5 year and 10 year projection. He stated that they have asked staff to review and update the information.

#### **5. Cemetery Committee Report of October 28, 2014**

- **Proclamation designating November 9<sup>th</sup>-15<sup>th</sup> as Cemetery Cleanup Week**

Vice Mayor Richardson reported that 28 of the U. S. Coast Guard men and women conducted cleaning work at the Mechanic's Cemetery on October 23<sup>rd</sup>. She stated that they want to be a part of the community. She added that they chose this cemetery because it has the most veterans

buried there. She stated that they will return to complete the cleanup and repairs. She offered for Council to see the pictures she took of the cleanup.

Vice Mayor Richardson also advised of the Proclamation designating November 9<sup>th</sup> through the 15<sup>th</sup> as cemetery cleanup week.

Town Manager Ritter stated that they will be cleaning up the Jones Cemetery, November 15<sup>th</sup> at 9:00 a.m.

Mayor Tarr read the Proclamation.



## PROCLAMATION

**WHEREAS**, throughout our community there are many cemeteries and family burial grounds; and

**WHEREAS**, over the years many of the loved ones of those buried in our cemeteries have moved away or are no longer able to tend to these cemeteries; and

**WHEREAS**, many organizations and individuals throughout our community have volunteered to assist in the cleanup of those sites and common areas within these cemeteries; and

**WHEREAS**, these organizations and individuals need assistance from all citizens to accomplish their cleanup goals to beautify and preserve our family burial grounds.

**NOW, THEREFORE**, I, Mayor John H. Tarr do hereby proclaim the week of November 9<sup>TH</sup> through 15<sup>TH</sup>, 2014, as Cemetery Cleanup Week within the Town of Chincoteague and call upon our citizens to volunteer to organize and assist in the cleanup of our Island cemeteries.

**DATED** this 3<sup>rd</sup> day of November, 2014.

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John H. Tarr, Mayor

**ATTEST:**

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Robert G. Ritter Jr., Town Manager

**6. USDA Community Facilities Grant for Police Car Camera System**

Chief Lewis stated that the Police Department would like to apply for the Facilities Grant to purchase cameras for the police cars. He added that the cameras are 10 years old and to replace them will cost \$40,000. He advised that the grant will give them \$25,000.

Town Manager Ritter stated that Council approval will allow the Police Department to apply for the grant. He added that they will put the funding in the next fiscal year budget. He also stated that they are seeking authorization to proceed with the grant application.

Councilman Taylor motioned, seconded by Vice Mayor Richardson to approve the USDA Community Facilities Grant for the police car camera system. Motion carried.

Ayes: Richardson, Jester, Frese, Ellis, Taylor

Nays: None

Absent: Leonard

**7. Mayor & Council announcements or Comments**

Councilman Ellis stated that he has never seen a Police Department give as much back to the community as the Chincoteague Police Department. He commended their efforts.

**8. Closed Meeting in Accordance with Section 2.2-3711(A)(1 & 7) of the code of Virginia.**

- **Legal Matters**
- **Personnel Matters**

Councilman Frese moved, seconded by Vice Mayor Richardson to convene a closed meeting under Section 2.2-3711(A)(1 & 7) of the Code of Virginia to discuss legal and personnel matters. Motion carried.

Ayes: Richardson, Jester, Frese, Ellis, Taylor

Nays: None

Absent: Leonard

Councilman Taylor moved, seconded by Councilman Ellis to reconvene in regular session. Motion carried.

Ayes: Richardson, Jester, Frese, Ellis, Taylor

Nays: None

Absent: Leonard

Councilman Frese, seconded by Councilman Taylor to adopt a resolution of certification of the closed meeting. Motion carried

Ayes: Richardson, Jester, Frese, Ellis, Taylor

Nays: None

Absent: Leonard

WHEREAS, the Chincoteague Town Council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711(A)(1) of the Code of Virginia requires a certification by this Town Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Chincoteague Town Council hereby certifies that to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Town Council.

VOTE: Ayes- Ellis, Jester, Frese, Richardson, Taylor

Nays- None

Absent- Leonard

### **Adjourn**

Councilman Frese motioned, seconded by Councilman Jester to adjourn. Motion carried.

Ayes: Richardson, Jester, Frese, Ellis, Taylor

Nays: None

Absent: Leonard

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Mayor

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Town Manager